

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

RONALD FREEMAN,

No. C-03-5440 MJJ (EMC)

Plaintiff,

v.

**ORDER GRANTING IN PART  
DEFENDANTS' MOTION TO COMPEL**JUDGE RITCHIE, *et al.*,**(Docket No. 45)**Defendants.  

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Before the Court is Defendants' Motion to Compel Discovery. Defendants argue that Plaintiff has failed to respond to Interrogatories and Request for Production of Documents, with the discovery cut-off date of March 31, 2006 approaching. Defendants claim that they are prejudiced in their ability to file a motion for summary judgment by the May 9, 2006 deadline with Plaintiff's discovery responses.

In opposition to the Motion to Compel, Plaintiff claims that he has provided the interrogatory responses and that he "has no contact with the documents requested." On March 27, 2006, the Court received from Plaintiff his responses to interrogatories. Apparently, it was served on March 23, 2006. The copy of his interrogatory responses received by the Court is not signed. If he did not provide Defendants with a signed response, he shall do so by April 7, 2006. As to the document request, the Court has not seen any formal response.

It is hereby ordered that Defendants' Motion to Compel is **GRANTED IN PART**. Plaintiff is ordered to respond formally to Defendants' document requests. He shall produce all responsive documents in his possession, custody and control. If there are responsive documents over which he

1 has no possession or control because of his incarceration, Plaintiff shall identify those documents  
2 with as much detail as possible and state where they are located and why he does not have access to  
3 them. This signed response shall be served no later than April 7, 2006.

4 Plaintiff is admonished of the possibility that documents or other information responsive to  
5 Defendants' discovery requests that are not timely produced or disclosed when they could have been  
6 may be subject to evidentiary or other sanctions at trial.


7 Defendants seek relief in the form of amending the Court's Pre-Trial Order to give them  
8 "ample time to defend their case." Any such scheduling request must be made with the presiding  
9 judge, Judge Jenkins.

10 As substitution of counsel has not been filed, attorney Jedediah Phillips shall forward a copy  
11 of this order to Plaintiff pursuant to the conditions of withdrawal as counsel. L.R.11-5(b).

12 This order disposes of Docket No. 45.

13  
14 IT IS SO ORDERED.

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16 Dated: March 27, 2006

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18 EDWARD M. CHEN  
19 United States Magistrate Judge  
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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

RONALD FREEMAN,

No. C-03-5440 MJJ (EMC)

Plaintiff,

CERTIFICATE OF SERVICE

v.

JUDGE RITCHIE, *et al.*,

Defendants.

I, the undersigned, hereby certify that I am an employee in the U.S. District Court, Northern District of California. On the below date, I served a true and correct copy of the attached, by placing said copy/copies in a postage-paid envelope addressed to the person(s) listed below, by depositing said envelope in the U.S. Mail; or by placing said copy/copies into an inter-office delivery receptacle located in the Office of the Clerk.

Ron Freeman V-41452  
P.V.S.P. E1-58 L  
P.O. Box 8505  
Coalinga, CA 93210

Dated: March 27, 2006

RICHARD W. WIEKING, CLERK

By: \_\_\_\_\_/s/  
Leni Doyle  
Deputy Clerk